

**BIG SKY RESORT AREA DISTRICT  
PROPOSED ORDINANCE NO. 2014-01**

**AN ORDINANCE PROVIDING FOR THE USE OF THE BIG SKY RESORT AREA DISTRICT'S MARK "BETTER TOGETHER" BY ESTABLISHMENTS LOCATED WITHIN THE BIG SKY RESORT AREA DISTRICT**

**PURSUANT TO THE AUTHORITY VESTED IN THE BIG SKY RESORT AREA DISTRICT BOARD OF DIRECTORS UNDER §7-6-1505, 7-6-1542 and 7-6-1547, MCA, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BIG SKY REORT AREA DISTRICT TO ADOPT ORDINANCE NO. 2014-01 AS FOLLOWS:**

Section 1. Definitions: For purposes of this Ordinance, the following definitions apply:

- (1) "Board" means the Board of Directors of the District elected under §7-6-1501, et seq., MCA.
- (2) "District" means the Big Sky Resort Area District created under §7-6-1531 through 1550, MCA, that has been established as a resort area under §7-6-1508, MCA.
- (3) "Licensed Material" means the mark "Better Together" registered by the Montana Secretary of State's office for the benefit of the District.

Section 2. Use of Licensed Material by Establishments Located within the District.

- (1) An establishment located within the District may complete an application provided by the District requesting use of the Licensed Material for one year.
- (2) The application, at a minimum, will request the following information:
  - (a) Name and address of establishment;
  - (b) Nature of establishment's business;
  - (c) Purpose(s) for which establishment is requesting use of the Licensed Material;
  - (d) Other information deemed necessary by the Board.

Section 3. Duration of Use of Licensed Material.

- (1) Approval of use of the Licensed Material if granted by the Board, will not exceed one year.
- (2) The renewal date for a License Agreement is January 1<sup>st</sup>. A written request for renewal of the License Agreement must be made not less than 45 days from January 1<sup>st</sup>.
- (3) Request for use of the Licensed Material for a new purpose must be made by completing a new application.

Section 4. Approval of Use of Licensed Material – License Agreement

- (1) If the Board approves use of the Licensed Material, the establishment will be required to enter into a license agreement with the Board.
- (2) The approval to use the Licensed Material will grant non-exclusive rights to the establishment.

Section 5. Compensation to District for Use of Licensed Material.

The establishment will be required to provide \$1.00 as good and valuable compensation to the District for the right to use the Licensed Material.

**Passed by the District Board on the following dates:**

1<sup>st</sup> Reading \_\_\_\_\_ Date: \_\_\_\_\_ Vote: \_\_\_\_\_  
Chairperson

2<sup>nd</sup> Reading \_\_\_\_\_ Date: \_\_\_\_\_ Vote: \_\_\_\_\_  
Chairperson

By: \_\_\_\_\_

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.